

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

TIMOTHY ABEITA ROMERO,

Plaintiff,

v.

CIV. No. 17-0130 JB/KBM

THE UNITED STATES OF AMERICA,

Defendant.

**ORDER SETTING CASE MANAGEMENT DEADLINES AND DISCOVERY  
PARAMETERS**

**THIS MATTER** came before the Court on a Rule 16 scheduling conference held on May 16, 2018. Following a review of the attorneys' Joint Status Report and Provisional Discovery Plan, and after conferring with counsel, the Court will permit the following discovery:

- a) Maximum of twenty-five (25) Interrogatories per party;
- b) Maximum of twenty-five (25) Requests for Production per party;
- c) Maximum of thirty (30) Requests for Admission per party;
- d) Maximum of ten (10) depositions per party; and
- e) Depositions of witnesses, other than experts, parties, and alleged persons at fault, limited to four (4) hours, except by agreement of the parties.

Service of interrogatories or requests for production shall be considered timely only if the responses are due prior to the deadline. A notice to take deposition shall be considered timely only if the deposition takes place prior to the deadline.

The Court has set the following management deadlines:

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|---|--------------------|
| a) Deadline for Plaintiff to move to amend pleadings/ add additional parties <sup>1</sup> :                   | June 6, 2018       |
| b) Deadline for Defendants to move to amend pleadings/add additional parties <sup>1</sup> :                   | July 9, 2018       |
| c) Plaintiffs' Rule 26(a)(2) expert disclosure <sup>2</sup> :   | September 17, 2018 |
| d) Defendants' Rule 26(a)(2) expert disclosure <sup>2</sup> :   | October 17, 2018   |
| e) Termination date for discovery:  | December 17, 2018  |
| f) Motions relating to discovery to be filed by:  | December 28, 2018  |
| g) Pretrial motions other than discovery motions (including those requiring <i>Daubert</i> hearing) filed by: | January 28, 2019   |
| h) Pretrial Order from Plaintiff to Defendant by:   | February 19, 2019  |
| i) Pretrial Order to Court by:  | March 5, 2019      |

Any extension of the case management deadlines must be approved by the Court. Any requests for additional discovery must be submitted to the Court by motion prior to the expiration of the discovery.



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UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>Federal Rule of Civil Procedure 16 requires that the Court set a deadline for amendment of pleadings and joinder of parties. A party seeking to amend the pleadings after the above dates must both demonstrate good cause to amend the scheduling order as required by Federal Rule of Civil Procedure 16(b) and satisfy the requirements for amendment under Federal Rule of Civil Procedure 15(a). *See, e.g., Gorsuch Ltd., B.C. v. Wells Fargo Nat. Bank Ass'n*, 771 F.3d 1230, 1242 (10th Cir. 2014).

<sup>2</sup> Parties must disclose the names of all expert witnesses, including treating physicians, the subject matter on which the experts will present evidence, and a summary of the facts and opinions to which the experts are expected to testify by this date. Experts who are retained or specifically employed to provide expert testimony must also submit an expert report by this date. *See* Fed. R. Civ. P. 26(a)(2). The parties must have their retained expert(s) ready to be deposed at the time they identify them and provide their reports. Expert witnesses who are not required to provide a written report may be deposed before summary disclosure.